(Spl. - H.C.A.S. C.D., 78-e)

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF BOMBAY AT GOA

PANAJI – GOA

APPELLATE SIDE

WRIT PETITION NO. 9 OF 2005.

Office Notes, Office Memoranda of Quorum appearances, Court's orders, or directions and Registrar's orders.	Court's or Judge's Orders.

Shri S.G. Bhobe, Advocate for the Petitioner.

Shri M.B. D'Costa, Advocate General with Mr. G. Shirodkar, Addl. Govt. Advocate for the Respondents No. 1 and 3.

Shri Padiyar, Advocate for the Respondent No.2.

Shri Sudin Usgaonkar, Advocate for the Respondent No.4.

CORAM : A.P. LAVANDE &
N. A. BRITTO, JJ.

DATE : 9th March, 2005.

P.C.

Heard Shri Bhobe for the petitioner, Mr. D'Costa, learned Advocate General with Shri Shirodkar, Addl. Govt. Advocate, for the Respondents No.1 and 3, Mr. Padiyar for Respondent No.2 and Mr. Sudin Usgaonkar for Respondent

No.4.

2. By this petition, the petitioner had sought relief in the nature of mandamus against Respondents No.2 and 3 to take immediate action to stop the illegal activity of poultry farming carried out by Respondent No.4 in the property bearing Survey No.7/7 situated adjacent to the plot of the petitioner.

3. Mr. D'Costa, learned Advocate General appearing on behalf of Respondents No.1 and 3 and Mr. Padiyar, appearing on behalf of Respondent No.2, have stated that action has already been taken by Respondents No.1, 2 and 3 and the shed in which the poultry farming was being carried out has been sealed. A copy of the panchanama carried out by the Municipal Council has been placed on record. This position has not been disputed by the learned counsel

appearing for the petitioner.

4. In view of the above, it is clear that the Respondents No.1, 2 and 3 have taken action and, as such, nothing survives in the petition and accordingly the petition stands disposed of as infructuous.

A.P. LAVANDE, J.

N.A. BRITTO, J.

sl.